

# **EXHIBIT A**

INSTRUCTIONS: FILL IN THE NAMES IN THE BOX NUMBER BELOW, THE INDEX NUMBER AND THE DATE THE INDEX NUMBER WAS PURCHASED. COMPLETE ALL BLANKS IN ACCORDANCE WITH THE DIRECTIONS SET FORTH IN BOLD PRINT

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

\_\_\_\_\_  
Yehuda Herskovic  
[YOUR NAME(S)]

Plaintiff(s),

Index No. \_\_\_\_\_/\_\_\_\_

-against-

Date Index No.  
purchased 11/19/19

TAP Air Portugal

[NAME OF PERSON(S) SUED]

**SUMMONS**

Defendant(s)

To the Person(s) Named as Defendant(s) Above:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the complaint of the plaintiff(s) herein and to serve a copy of your answer on the plaintiff(s) at the address indicated below within 20 days after the service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the Summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer a judgment will be entered against you by default for the relief demanded in the complaint.

Dated: Nov. 19, 2019  
[DATE OF SUMMONS]

Yehuda Herskovic

303 Marcy Ave 2 a

Brooklyn NY 11211

Tel 347-731-8818

[YOUR ADDRESS(ES) and  
PHONE NUMBER(S)]

Defendant's Address 1037 Raymond Blvd suite 1510 Newark NJ 07102

[ADDRESS OF PERSON(S) SUED]

Venue: Plaintiff(s) designate(s) Queens County as the place of trial. The basis of this designation is [CHECK ONE]:

- ☐ Plaintiff(s)' Residence in Queens County.  
☒ Defendant(s)' Residence in Queens County  
☐ Other -- Describe: \_\_\_\_\_

NOTE: THIS FORM OF SUMMONS MUST BE SERVED WITH A COMPLAINT

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS\_\_\_\_\_  
Yehuda Herskovic

Plaintiff,

Index No. \_\_\_\_\_/20\_\_

- against -

COMPLAINT\_\_\_\_\_  
TAP Air Portugal\_\_\_\_\_  
Defendant.

## TO THE SUPREME COURT OF THE STATE OF NEW YORK

The complaint of the plaintiff, Yehuda Herskovic, respectfully shows and alleges as follows:

- 1 The plaintiff herein Yehuda Herskovic is a resident of the state of New York. MR Yehuda Herskovic resides at 303 Marcy Ave, Brooklyn, NY 11211.
- 2 The defendant herein TAP air Portugal, has a principal place of business at JFK airport New York and also an office at 1037 Raymond Blvd suite 1510 Newark NJ 07102. Defendant is engaged in the business of transporting people as an Airline with the name TAP air Portugal .
- 3 Plaintiff Yehuda Herskovic have desired to attend the memorial of his father blessed his memory in Antwerp Belgium on the date of May 8 2019 an there for made a reservation an bought two one way tickets from Newark international airport to Brussels Belgium and return from Brussels to JFK NY.

- 4 On Jan 26 2019 I made a reservation on the web site of Priceline for an itinerary from Newark international airport to Brussels Belgium airport for May 6 2019 with stop and layover in Lisbon Portugal for 1 hour and 15 minutes one way and paid for it with my Priceline credit card an got a booking number UMSHFB and ticket number 0477297442624 , and on Jan 27 2019 I made a return reservation for May 9 2019 from Brussels international airport to JFK NY international airport and paid for it with my Priceline credit card and got booking number W9KTOZ and ticket number 0477297452108 ,an received email from Priceline on both reservations confirming both itinerary's , then I got also numerus emails from TAP Air Portugal letting me know that I can upgrade to first class ,and also emails that I can check in online .
- 5 But when I arrived at Newark international airport to the check in counter it was over 2 hours before departure I was on time the departure time was at 5.55 pm I arrived at check in counter around 3.45 pm, at the check in counter they refused me boarding I present them the print out of my reservation and ticket and had a valid US passport.
- 6 Then after the supervisor came I was in a wheelchair and begged them I am in wheelchair it's my father's memorial that I need to attend the supervisor still have refused to let me board until I had no choice it was father memorial that I needed to attend I present them my Priceline credit card and they charged me again \$2365.71 for a flight that I paid already once.
- 7 They only gave me a handmade receipt not even a print out with new itinerary or schedule.

- 8 At arrival at Lisbon Portugal they just bump me off for more than 4 hours I had a valid connection pass which I received at Newark international airport to continue to Brussels, and there was no good reason for that, the plain arrived earlier than schedule and I did not have any checked in luggage there was enough time to transfer to the next gate and I would be able to continue to Brussels with no delay, so this experience from check in at Newark International Airport and the bumping it caused me headache high blood presser and made me to not feel good I was in pain in a wheelchair for an I had to sit in that wheelchair for over 4 hours waiting for next flight to Brussels and this is after charging me that outrages sum of \$ 2365.71. Finally with the delay I arrived at Brussels airport my whole family were worried what happened I arrived broken hart and cheated to my family in Antwerp.
- 9 When I arrived at Brussels international airport well over two hours before departure time and as I approached again to the check in counter for my return trip to JFK international Airport NY the same story as by departure they denied me boarding until I make additional payment of \$ 618.12 so thy forced me to pay a third time even after my payment of 2365.71 additional \$618.12 for the return trip I was exhausted tired just gave them my Priceline credit card an came home broken hart exhausted an cheated from the action of TAP Air Portugal.
- 10 When I came home I call the credit card Priceline and disputed the two charges and they put a hold on the two charges.
- 11 And if they would return my charges to the credit card then this

Would be the end of that miserable journey.

- 12 But the end did not come so fast and not without more headache then the Priceline credit card came back and said shat TAP Air Portugal had issued a credit for the \$2365.71 and for the \$ 618.12 they refused to issue a credit then I was calling and faxing all documents an proof they still refused to issue the credit with all kind misleading facts an untrue facts I have supply them with confirmation an ticket numbers I spend so many precious hours on the phone an faxing documents but still they refused to credit me .
- 13 Then I was in contact thru email with TAP Air Portugal and many emails and again spend so many precious time to get the well deserved credit and they still refused to credit me.
- 14 Then I didn't have choice I took them to small claims court and they did not appear and then the court awarded me a judgement against TAP Air Portugal.
- 15 Would this have made the end of the aggravation, no after receiving the judgment against TAP Air Portugal I called the legal department and they again refused making payment until I send them my original copy of judgment than after a few weeks finally I received my payment for the 618.12.

### Conclusion of the harassment

TAP Air Portugal had violated their contract and charged me three time for the same booking and tickets, and they bump me from my connecting flight for more than 4 hours, they caused me a lot of pain, headache, health problems, money, and precious time

Therefore I ask the court to award me the sum of \$50.000.00

VERIFICATIONYehuda Herskovic

, being duly sworn, deposes and says:

I am the plaintiff in the above-entitled action. I have read the foregoing complaint and know the contents thereof. The same are true to my knowledge except as to matters therein stated to be alleged on information and belief and as to those matters I believe them to be true.

SignatureYehuda HerskovicPrint Name

Sworn to before me this

19<sup>th</sup> day of Nov 2008

Notary Public

PATRICIA E. LASAK

NOTARY PUBLIC-STATE OF NEW YORK

No. 04LA6339018

Qualified in Queens County

Commission Expires March 18, 2021

PATRICIA E. LASAK

NOTARY PUBLIC-STATE OF NEW YORK

No. 04LA6339018

Qualified in Queens County

Commission Expires March 18, 2021

[illegible]

**CUSTOMER COPY**

PURCHASER SIGN HERE

X

X \_\_\_\_\_  
Cardholder acknowledges receipt of goods and/or services in the amount of the Total shown hereon and agrees to perform the obligations set forth in the Cardholder's agreement with issuer.

**IMPORTANT: RETAIN THIS COPY FOR YOUR RECORDS**



HERSKOVIC, YEHUDA MR

BOARDING PASS

TP AIRPORTUGAL

0472169314378

A STAR ALLIANCE MEMBER

LH

TP202	NEW YORK (Terminal: B)	LISBON	BOARDING ZONE	ENTITLED TO
DATE	DEPARTURE	BOARDING	GATE	CLASS
06 MAY 19	18:00	17:15	B6	Y
SEAT	34D			
TP646	LISBON (Terminal 1)	BRUSSELS	BOARDING ZONE	ENTITLED TO
DATE	DEPARTURE	BOARDING	GATE	CLASS
07 MAY 19	07:05	06:25	S	F
SEAT	28D			

Verifique a porta de embarque no aeroporto/Check gate at airport  
 Porta fecha 30min antes de partida/Gate closes 30min before departure  
 BOARDING AREA S

HERSKOVIC, YEHUDA MR

BOARDING PASS

TP AIRPORTUGAL

0472169314378

A STAR ALLIANCE MEMBER

LH

TP648	LISBON (Terminal 1)	BRUSSELS	BOARDING ZONE	ENTITLED TO
DATE	DEPARTURE	BOARDING	GATE	CLASS
07 MAY 19	11:05	10:25	S	F
SEAT	28D			

Verifique a porta de embarque no aeroporto/Check gate at airport  
 Porta fecha 30min antes de partida/Gate closes 30min before departure  
 BOARDING AREA S